

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11
: Case No. 08-13555 (SCC)
LEHMAN BROTHERS HOLDINGS INC., *et al.*, :
: Debtors. :
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**ORDER APPROVING MOTION TO RENEW MOTION TO ALLOW DISCLOSURE
OF DERIVATIVES QUESTIONNAIRES PURSUANT TO SECTION 107(A) OF
THE BANKRUPTCY CODE AS TO REMAINING OBJECTING PARTIES**

Upon the Motion to Renew the Motion to Allow Disclosure of the Derivatives Questionnaires Pursuant to Section 107(a) of the Bankruptcy Code, dated October 30, 2015 [Docket No. 51312] (the “Motion”),¹ of Lehman Brothers Holdings Inc. (“LBHI”), as Plan Administrator under the Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors, and on behalf of its affiliates (collectively, “Lehman”); and the Court having previously entered an order dated June 9, 2015 [Docket No. 49936] (the “Initial Order”) allowing disclosure of derivatives questionnaires as to parties that did not object (the “Non-Objecting Parties”) to the Motion to Allow Disclosure of Derivatives Questionnaires Pursuant to Section 107(a) of the Bankruptcy Code [Docket No. 48939] (the “Initial Motion”); and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334 and the Amended Standing Order of Reference M-431, dated January 31, 2012 (Preska, Loretta C.J.); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the motion having been provided in accordance with the procedures set forth in the Second Amended Order Implementing Certain Notice and Case Management Procedures entered June 17, 2010 [Dkt. No 9635] to: (i) the

¹ Unless otherwise defined herein, capitalized terms used herein shall have the meanings ascribed thereto in the Motion.

United States Trustee for the Southern District of New York; (ii) the attorneys for the Official Committee of Unsecured Creditors; (iii) the Securities and Exchange Commission; (iv) the Internal Revenue Service; (v) the United States Attorney for the Southern District of New York; (vi) all parties who have requested notice in these chapter 11 cases; and (vii) all parties who filed an objection to the Initial Motion; and it appearing that no other or further notice need be provided; and the Court having reviewed and considered the Motion and any exhibits filed in support thereof, the responses and objections thereto, and Lehman's reply in support of the Motion, dated November 5, 2015 [Docket No. 51433] (the "Reply"); and Lehman having engaged in further negotiations and discussions with the objecting parties in an effort to resolve their objections; and Lehman having proposed to the parties that filed objections to the Motion to resolve these objections by establishing (i) certain use and confidentiality procedures to apply to the use of the Derivatives Questionnaires (the "Confidentiality Procedures") as one alternative to resolve the objections to the Motion, and, (ii) as a second alternative, certain procedures for parties to redact certain information contained in their Derivatives Questionnaires, subject to specified terms and conditions (the "Redaction Procedures"); and (x) certain parties who had previously objected last spring but did not renew their objections as to the Motion, and have not engaged in further discussions with Lehman concerning their Derivatives Questionnaires, appearing to have abandoned their prior objections, and (y) certain parties who actually filed a response supporting the motion, rather than an objection, in the spring, (the parties covered by (x) and (y), collectively, as identified on Schedule I hereto, the "Remaining Parties"); and the Court having determined that the relief sought in the Motion is in the best interest of all parties in interest, and that the legal and factual bases set forth in the Motion and the Reply establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefore; it is hereby

ORDERED that the Motion is granted, and all objections to the Motion that have not been withdrawn or settled are hereby overruled; and it is further

ORDERED that the Remaining Parties shall be deemed to have provided their consent to the public disclosure of their Derivative Questionnaires (and any supporting materials) and the information contained therein, which may be filed with the Court without being sealed in connection with any Lehman-related adversary proceeding or claim objection litigation; and it is further

ORDERED that notwithstanding anything to the contrary in the Bar Date Order, Lehman is authorized to use and produce the Derivatives Questionnaires of the Remaining Parties as discovery materials solely in connection with any Lehman-related litigation, including any adversary proceeding or claim objection, on the terms and conditions set forth herein; and it is further

ORDERED that nothing herein shall modify the relief granted by the Initial Order as to the Non-Objecting Parties; and it is further

ORDERED that this Order shall be effective and enforceable immediately upon entry; and it is further

ORDERED that this Order is without prejudice to the rights of the claimants in litigation currently pending with Lehman to seek additional discovery from Lehman; and it is further

ORDERED that this Court retains jurisdiction to interpret, implement, and enforce the provisions of this Order.

Dated: November 24, 2015
New York, New York

/S/ Shelley C. Chapman
UNITED STATES BANKRUPTCY JUDGE

Schedule I

[Remaining Parties]

Bear Stearns Credit Products Inc.
Bear Stearns Forex Inc.
Citi Canyon Ltd.
Citi Swapco Inc.
Citibank, N.A.
Citigroup Energy Inc.
Citigroup Financial Products Inc.
Citigroup Global Markets Ltd.
Credit Suisse (n/k/a Credit Suisse AG)
Credit Suisse Energy LLC
Credit Suisse International
Credit Suisse Securities (Europe) Ltd.
J.P. Morgan Markets Limited (f/k/a Bears Stearns International Limited)
J.P. Morgan Securities Ltd.
J.P. Morgan Ventures Energy Corporation
JPMorgan Bank Dublin (f/k/a Bear Stearns Bank plc)
JPMorgan Chase and Co.
JPMorgan Chase Bank, N.A.
Steven G. Holder Living Trust